

(5) LABOR ORGANIZATION.—The term “labor organization” has the meaning given the term in section 2 of the National Labor Relations Act (29 U.S.C. 152).

(b) REQUIREMENT.—Notwithstanding any other provision of law or regulation, a covered entity that receives assistance provided under the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) as a recipient or subrecipient shall, not later than 30 days after receiving the assistance, request a statement of intent from the managers of the covered entity that would expressly declare the intent of the managers to comply, or not to comply, with a requirement that the pensions of firefighters not be invested based on ESG criteria.

(c) SUBMISSION TO FEMA.—Not later than 90 days after receiving a request under subsection (b), the managers of the covered entity shall submit to the Administrator the statement of intent described in subsection (b).

(d) SUBMISSION TO CONGRESS.—Upon receipt of a statement of intent under subsection (c), the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of a Senate a statement detailing which managers of covered entities do not intend to comply with the requirement described in subsection (b).

SA 65. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 870, to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . BUREAU OF LAND MANAGEMENT AND FOREST SERVICE RULE.

(a) DEFINITIONS.—In this section:

(1) ANALYSIS.—The term “analysis” means any analysis with respect to a proposed action covered by the rule issued under subsection (b) that the Director of the Bureau of Land Management or the Chief of the Forest Service, as applicable, determines to be necessary for the consideration of the proposed action under Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(2) FEDERAL LAND.—the term “Federal land means”—

(A) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))); and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(b) ISSUANCE OF RULE.—Subject to subsection (d), not later than 1 year after the date of enactment of this Act, the Director of the Bureau of Land Management and the Chief of the Forest Service, acting jointly, shall issue a rule identifying actions described in subsection (c) that, except in extraordinary circumstances, as described in the rule, are categorically excluded from requirements for environmental assessments or environmental impact statements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) DESCRIPTION OF ACTION.—An action referred to in subsection (b) is an action that may be routinely undertaken on Federal land without fear of significant environmental impact to protect personal property on or adjacent to the Federal land from wildfire, including creating fire breaks capable of ensuring the protection of property.

(d) REQUIREMENTS.—A rule issued under subsection (b) shall provide that—

(1) any person possessing applicable property may provide to the head of the applicable Federal agency undertaking the analysis all, or a portion of, the amounts necessary to complete the analysis;

(2) any person possessing applicable property, or an agent of that person—

(A) may prepare an analysis of a proposed action covered by the rule; and

(B) if approved by the Federal agency in accordance with paragraph (3), may carry out the proposed action;

(3) the head of an applicable Federal agency shall review the analysis prepared by a person possessing applicable property under paragraph (2)(A) to determine whether the proposed action is eligible for a categorical exclusion under the rule, and if the head of the Federal agency finds in the affirmative, shall approve the analysis; and

(4) any person carrying out an action covered by the rule on Federal land shall be liable for impacts to resources resulting from—

(A) activities not described in the applicable analysis; or

(B) any negligent activity of the person.

SA 66. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 870, to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . BUREAU OF LAND MANAGEMENT AND FOREST SERVICE RULE.

(a) DEFINITIONS.—In this section:

(1) ANALYSIS.—The term “analysis” means any analysis with respect to a proposed action covered by the rule issued under subsection (b) that the Director of the Bureau of Land Management or the Chief of the Forest Service, as applicable, determines to be necessary for the consideration of the proposed action under Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(2) FEDERAL LAND.—the term “Federal land means”—

(A) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))); and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(3) FIREBREAK.—The term “firebreak” means a permanent or temporary strip of ground cleared of vegetation, thinned of vegetation, or planted with fire-resistant vegetation intended to stop the spread of fire.

(b) ISSUANCE OF RULE.—Subject to subsection (d), not later than 1 year after the date of enactment of this Act, the Director of the Bureau of Land Management and the Chief of the Forest Service, acting jointly, shall issue a rule identifying actions described in subsection (c) that, except in extraordinary circumstances, as described in the rule, are categorically excluded from requirements for environmental assessments or environmental impact statements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) DESCRIPTION OF ACTION.—An action referred to in subsection (b) is an action that may be routinely undertaken on Federal land without fear of significant environmental impact to protect personal property

on or adjacent to the Federal land from wildfire, including creating firebreaks capable of ensuring the protection of property.

(d) REQUIREMENTS.—A rule issued under subsection (b) shall provide that—

(1) any person possessing applicable property may provide to the head of the applicable Federal agency undertaking the analysis all, or a portion of, the amounts necessary to complete the analysis;

(2) any person possessing applicable property, or an agent of that person—

(A) may prepare an analysis of a proposed action covered by the rule; and

(B) if approved by the Federal agency in accordance with paragraph (3), may carry out the proposed action;

(3) the head of an applicable Federal agency shall review the analysis prepared by a person possessing applicable property under paragraph (2)(A) to determine whether the proposed action is eligible for a categorical exclusion under the rule, and if the head of the Federal agency finds in the affirmative, shall approve the analysis; and

(4) any person carrying out an action covered by the rule on Federal land shall be liable for impacts to resources resulting from—

(A) activities not described in the applicable analysis; or

(B) any negligent activity of the person.

SA 67. Mr. SCOTT of Florida submitted an amendment intended to be proposed by him to the bill S. 870, to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . TRANSFER OF UNOBLIGATED COVID FUNDS.

(a) COVERED FUNDS.—The term “covered funds” means amounts made available under—

(1) the Coronavirus Relief Fund established under section 601 of the Social Security Act (42 U.S.C. 801); and

(2) the Coronavirus State and Local Fiscal Recovery Fund programs established under section 602 or 603 of the Social Security Act (42 U.S.C. 802, 803).

(b) IDENTIFICATION OF FUNDS TO TRANSFER.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Treasury shall identify unobligated covered funds that the Secretary determines appropriate for transfer to the Administrator of the United States Fire Administration under subsection (c).

(c) TRANSFER.—Effective on the date that is 60 days after the date of enactment of this Act, the unobligated covered funds identified by the Secretary of the Treasury under subsection (b) shall be transferred to and merged with other amounts made available to the Administrator of the United States Fire Administration to carry out section 17(g)(1)(N) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)(N)).

(d) AVAILABILITY AND USE.—Amounts transferred under subsection (c) shall remain available until expended.

AUTHORITY FOR COMMITTEES TO MEET

Mr. KAINE. Madam President, I have six requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, March 30, 2023, at 10:30 a.m., to conduct a subcommittee hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 30, 2023, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, March 30, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, March 30, 2023, at 10:15 a.m., to conduct a hearing on nominations.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, March 30, 2023, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON CHEMICAL SAFETY, WASTE MANAGEMENT, ENVIRONMENTAL JUSTICE, AND REGULATORY OVERSIGHT

The Subcommittee on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, March 30, 2023, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. TESTER. Madam President, I ask unanimous consent that Tim VanReken, a fellow in my office, be granted floor privileges for the remainder of the 118th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, MARCH 31, 2023, THROUGH MONDAY, APRIL 17, 2023

Mr. SCHUMER. Finally, I ask unanimous consent that when the Senate completes its business today, it stand adjourned, to convene for pro forma sessions with no business being conducted on the following dates and times: Monday, April 3, at 12 noon, Thursday, April 6, at 10 a.m., Monday, April 10, at 11:30 a.m., and Thursday, April 13, at 8:45 a.m.; further, that when the Senate adjourns on Thursday, April 13, it next convene at 3 p.m. on Monday, April 17; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their

use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Plumb nomination; and that cloture motions filed during today's session ripen at 5:30 p.m.; further, that the filing deadline for the first-degree amendments to S. 870 be at 3:30 p.m. on Monday, April 17.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, APRIL 3, 2023

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 3:26 p.m., adjourned until Monday, April 3, 2023.

NOMINATIONS

Executive nominations received by the Senate:

CONSUMER PRODUCT SAFETY COMMISSION

DOUGLAS DZIAK, OF VIRGINIA, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 26, 2024, VICE DANA BAIOTTO, RESIGNED.

INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

NISHA DESAI BISWAL, OF VIRGINIA, TO BE DEPUTY CHIEF EXECUTIVE OFFICER OF THE UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION. (NEW POSITION)

DEPARTMENT OF STATE

HERRO MUSTAFA GARG, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ARAB REPUBLIC OF EGYPT.

RICHARD H. RILEY IV, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF SOMALIA.

MARK TONER, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LIBERIA.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DERIN S. DURHAM

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. BRANDI B. PEASLEY
COL. JOHN D. RHODES
COL. EARL C. SPARKS IV

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF CHAPLAINS, UNITED STATES ARMY, AND APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 7036 AND 7073:

To be major general

BRIG. GEN. WILLIAM GREEN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK T. SIMERLY

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RYAN P. HERITAGE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. CRAIG A. CLAPPERTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DARIN K. VIA

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE TO BE A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

KARA MIRIAM ABRAMSON, OF THE DISTRICT OF COLUMBIA
DANE DIXSON ALLEN-BRYANT, OF THE DISTRICT OF COLUMBIA

MICHELLE LEE ALMEIDA, OF VIRGINIA
JUAN JOSE APARCIO, OF CALIFORNIA
KEVIN SILAS BARLOW, OF NORTH CAROLINA
WILLIAM A. BASKERVILLE III, OF COLORADO
TYRA ZURI HAYES BEAMAN, OF VIRGINIA
RAMI LOWELL BLAIR, OF RHODE ISLAND
MIGUEL ALEXANDER BOLUDA, OF THE DISTRICT OF COLUMBIA

SAMANTHA R. BONENCLARK, OF FLORIDA

EMMA O. BROWN, OF VIRGINIA

DANIEL JOHN BUCHMAN, OF NEW YORK

CHRISTIAN JAMES BURSTALL, OF TEXAS

SHAWN C. BUSH, JR., OF NEW YORK

RUNDALL E. BUSSMAN, OF CALIFORNIA

JUNY G. CANENGUEZ, OF VIRGINIA

MICHAEL G. CARMOTCHE, OF VIRGINIA

CAITLIN MARIE CASSOT, OF WASHINGTON

EDUARDO CASTILLO, JR., OF TEXAS

LILLIAN KATHARINE CHREKY, OF VIRGINIA

ANTHONY CYPRIAN CHRISTIAN, OF WASHINGTON

KAREEN A. CLARKE, OF VIRGINIA

AARON K. COATS, OF VIRGINIA

KEMPTON J. COX, OF IDAHO

JARROD CHRISTOPHER CROCKETT, OF MARYLAND

JOHN R. DANILUK, OF FLORIDA

DANIEL ALAN DEGROFF, OF FLORIDA

ALEXANDRA R. DEL SOLAR, OF MASSACHUSETTS

SUMYA V. DEVA, OF CALIFORNIA

ANIK A. DEVOLDER, OF MASSACHUSETTS

KELSY J. JOCELYN VICTORIA DEVRIES, OF VIRGINIA

SURAJA IMANI DIGGS, OF NEW YORK

SHRISTA L. DIVIS, OF FLORIDA

BENNETT K. DOMINGUES, OF VIRGINIA

JUSTIN A. DOOR, OF VIRGINIA

NURMUKHAMEL A. ELDOBOV, OF OHIO

GREGORY R. ELROD, OF SOUTH CAROLINA

VERONIKA B. EMONS, OF VIRGINIA

CHRISTOPHER FRANKLIN, OF MARYLAND

NEAL B. FRAZIER, OF MARYLAND

KATIE VANESSA GARAY, OF VIRGINIA

BEAU PAUL GARRETT, OF WASHINGTON

JONATHAN MCDONOUGH GEARING, OF KANSAS

KUROS GHAFARI, OF THE DISTRICT OF COLUMBIA

EMILY RUTH GOODELL, OF NEW JERSEY

LUTHER BROADWATER GOVE, OF FLORIDA

FRANCIS GRESS, OF VIRGINIA

CARL FREDERICK HAESSLER, OF VIRGINIA

ERIC R. HALL, OF VIRGINIA

AMEERA HUMANA HAMID, OF WISCONSIN

ALLISON KELLY HAUGEN, OF WASHINGTON

MICHAEL P. HEISE, OF MASSACHUSETTS

VICTORIA REGINA HILL, OF UTAH

MATTHEW H. HINSON, OF NEW JERSEY

DYLAN R. HOBY, OF WISCONSIN

LAUREN E. HOLT, OF VIRGINIA

JESSE J. HONG, OF NEW YORK

LAUREN KIMBERLY HOVIS, OF NORTH CAROLINA

TONY HUDSON, JR., OF GEORGIA

TERRELL DWAYNE HUNT, OF INDIANA

SAMANTHA MARIE JACKSON, OF VIRGINIA

BENJAMIN ALLEN JACOBS, OF VIRGINIA

MICHAEL PATRICK JOHNSON, OF VIRGINIA

NATHAN R. JOHNSON, OF MINNESOTA

STEVEN L. JOHNSON, OF VIRGINIA

BENJAMIN JOHNSON JONES, OF VIRGINIA

GREGORY K. JOY, OF FLORIDA

ALAN WILLIAM KATZ, OF VIRGINIA

HAYLEY C. KING, OF PENNSYLVANIA

JUSTINE A. KING, OF NEW YORK

JOHANNA L. KNOCH, OF COLORADO

PETER ANTHONY KRIVICICH-HARTSFELD, OF VIRGINIA

JAY A. LAEDLEIN, OF VIRGINIA

WILLIAM A. LAGANA, OF VIRGINIA

LAUREN ELIZABETH LAGLER, OF VIRGINIA

SEAN P. LANE, OF VIRGINIA

SEAN M. LAWLOW, OF VIRGINIA

CHAD MICHAEL MADDOX, OF GEORGIA

BRENDAN ELIAS MAGNUSON, OF VIRGINIA

JAMES J. MCALPIN, OF VIRGINIA

ALEXANDER PAUL MCKENNEY, OF MAINE

RYAN MCKINNEY, OF VIRGINIA

MARC ANDREW MONROIG, OF NEW YORK

LARISSA M. MOSELEY, OF VIRGINIA

VIENNA MUNRO, OF TENNESSEE

STEVEN PAUL NICHOLSON, OF FLORIDA

MATTHEW NELSON NUZZO, OF VIRGINIA